

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF MISSOURI  
EASTERN DIVISION

WILLIAM G. CARTER,	)	
	)	
Plaintiff,	)	
	)	
v.	)	No. 4:05 CV 2259 DDN
	)	
JULIA HASSELL, DILLIAN HOGAN,	)	
JANET SIDEBOTTOM, JENNIFER	)	
CHAMBERLIN, and ALAN BLAKE,	)	
	)	
Defendants.	)	

**ORDER OF DISMISSAL**

On November 23, 2005, plaintiff William G. Carter brought this action alleging civil rights violations. On April 28, 2006, the Missouri Attorney General stated it would not waive service for defendant Janet Sidebottom because she was not identified as a current employee. See Doc. 11.

On June 20, 2006, summons was reissued as to defendant Janet Sidebottom. On July 27, 2006, the Missouri Attorney General notified the court that its office had improperly accepted service of the summons for defendant Sidebottom because defendant Sidebottom is no longer an employee of the State of Missouri. See Doc. 23.

By order dated October 12, 2006, this court directed the Marshals Service to attempt to serve defendant Sidebottom at an address to be provided by counsel for defendants. On October 25, 2006, the summons was returned unexecuted with a notation that no forwarding address is available.

Because it does not appear that service of the complaint has been timely made within 120 days after the filing of the complaint on November 23, 2005,

**IT IS HEREBY ORDERED** that, pursuant to Fed.R.Civ.P. 4(m), plaintiff's complaint against defendant Janet Sidebottom is dismissed without prejudice as to said defendant for lack of timely service.

  
UNITED STATES DISTRICT JUDGE

Signed on October 27, 2006.